

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In Re: Frances L Smith : Case No: 15-51080  
Debtor(s) : Chapter 13 Judge: C KATHRYN PRESTON  
: Filed 4/14/15 Amended plan

**CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION**

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

Above median income     X     Below median income           

    X     11 U.S.C. §1325(a)(6)-Plan is not feasible based on income, living expenses, and plan payments. **Provide to Trustee Schedule C from the 2014 tax return showing child care income and housekeeping income.**

    X     Other: **Debtor and spouse owed \$5289 in taxes per the 2014 tax return. Trustee unable to determine if Debtor paid this as Sch E does not include the 2014 tax liability and the IRS poc shows only \$500 due as 2014 had not been filed yet. Sch J does not provide a budget item for estimated taxes to avoid a large tax liability.**

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for May 21, 2015, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

**TERMS OF THE PLAN:**

**Plan Payments: 3178 mo**

**Best Interest Dividend: 0%    Dividend: 51%**

**Length: 60 Months**

Dated: April 16, 2015

Respectfully submitted,

/s/ **Frank M. Pees**

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085

(614) 436-6700

trustee@ch13.org

CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: April 16, 2015

/s/ **Frank M. Pees**

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085-6300